

RECEIVED  
CENTRAL FAX CENTER

OCT 20 2008

**FAX TRANSMISSION****DATE:** October 20, 2008**PTO IDENTIFIER:** Application Number 10/534,010-Conf. #2794  
Patent Number**Inventor:** Theodore L. Deweese et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** EDWARDS ANGELL PALMER & DODGE LLP

Jonathan M. Sparks, Ph.D.

**PHONE:** (617) 517-5543**Attorney Dkt. #:** 59564(71699)**PAGES (Including Cover Sheet):** 12**CONTENTS:** Fee Transmittal  
Amendment  
Amendment Transmittal (1 page)  
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 517-5543 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

**EDWARDS ANGELL PALMER & DODGE LLP**  
P.O. Box 55874, Boston, Massachusetts 02205  
Telephone: (617) 239-0100 Facsimile: (617) 227-4420

RECEIVED  
CENTRAL FAX CENTER

OCT 20 2008

PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

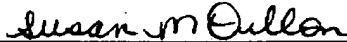
Application No. (if known): 10/534,010

Attorney Docket No.: 59564(71699)

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on October 20, 2008  
Date



Signature

Susan Dillon

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 239-0100

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Fee Transmittal

Amendment

Amendment Transmittal (1 page)

OCT 20 2008

<b>AMENDMENT TRANSMITTAL LETTER</b>			Docket No. 59564(71699)		
Application No. 10/534,010-Conf. #2794	Filing Date May 5, 2005	Examiner K. Chong	Art Unit 1635		
Applicant(s): Theodore L. Deweese et al.					
Invention: ENGINEERED RNAI ADENOVIRUS SILENCING EXPRESSION (ERASE) OF DNA REPAIR PROTEINS					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	20	- 20 =	0	x 26.00	0.00
Independent Claims	3	- 3 =	0	x 110.00	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					0.00
<input type="checkbox"/> Large Entity <span style="float: right;"><input checked="" type="checkbox"/> Small Entity</span>					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>04-1105</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
Jonathan M. Sparks, Ph.D. Attorney/Agent Reg. No.: 53,624  EDWARDS ANGELL PALMER & DODGE LLP P.O. Box 55874 Boston, Massachusetts 02205 (617) 517-5543				Dated: <u>October 20, 2008</u>	

BOS2 700305.1

OCT 20 2008

Application No.: 10/534,010

1

Docket No.: 59564(71699)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Theodore L. Deweese et al.

Application No.: 10/534,010

Confirmation No.: 2794

Filed: May 5, 2005

Art Unit: 1635

For: ENGINEERED RNAI ADENOVIRUS  
SILENCING EXPRESSION (ERASE) OF  
DNA REPAIR PROTEINS

Examiner: Kimberly Chong

**RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Non Final Office Action dated July 18, 2008, please  
amend the above-identified U.S. patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which  
begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

BOS2 698651.1